



Memorandum

TO: James Han
Planning Department

FROM: Ofc. Hieu Huynh #4487
San Jose Police Vice Unit

SUBJECT: Target
450 N. Captiol Ave
CP21-012

DATE: June 1, 2021

Approved

Date

I have received your request for input regarding Target, located at 450 N. Capitol Avenue in San Jose. Target is seeking a Conditional Use Permit to allow sale of alcoholic beverages for off-site consumption.

Per Business and Professions (B&P) Code Section 23958, the State of California Department of Alcohol Beverage Control shall deny an ABC Application for an ABC License if the issuance of that license would tend to create a law enforcement problem or if it would result in or add to an undue concentration of ABC Licenses, as described in B&P Sections 23958.4 (a)(1) and 23958.4(a)(3). A location can be unduly concentrated because of its criminal statistics and/or it's proximity to other ABC Licenses. ABC can issue the license per B&P Sections 23958.4 (b)(1), and 23958.4 (b)(2) if the local governing body determines that the public convenience or necessity would be served. The City of San Jose Planning Department and the Planning Commission are the delegated authorities to grant these exceptions.

871 Blossom Hill Rd is located in San Jose Police Beat W4. The reported crime statistics as defined by B&P Section 23958.4(c) **are not** over the 20% crime index thus the location **is not** considered unduly concentrated per B&P Section 23958.4 (a)(1).

Police Beat Crime Statistics

Beat	Index Crimes	Arrests	Total	20% Above Average
W4	342	131	473	No
City Average	308	135	443	531

Department of Alcohol Beverage Control (ABC) records indicate that 450 N. Capitol Avenue is in census tract 5038.04. Pursuant to B&P Section 23958.4 (a)(2), the ratio of off-sale retail licenses population in census tract 5038.04 **does** exceed the ratio of off-sale retail licenses to population in the county in which the applicant premises are located.

Authorized and Current ABC Licenses in Census Tract 5038.04

Census Tract	Authorized ABC Licenses		Current ABC Licenses		Unduly Concentrated	
	On - Sale	Off - Sale	On - Sale	Off – Sale	On - Sale	Off – Sale
5038.04	6	2	6	3	NO	YES

Target often have policies and protocols in place that are effective in managing the sale of alcohol. The sale of alcoholic beverages should not adversely affect the surrounding community. Based on this, the San Jose Police Department is **neutral** to Target's Conditional Use Permit endorsement for sale of alcoholic beverages for off-site consumption.

Please feel free to contact me at (408) 277-4322 or email me at 4487@sanjoseca.gov if you have any questions.

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San Jose Police Department
Special Investigations/Vice Unit